

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

ALBERT BRUNSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:24-cv-00541-ACA-NAD
)	
OFFICER GREEN, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

On June 24, 2025, the magistrate judge entered a report recommending that the court (1) dismiss for lack of subject matter jurisdiction Plaintiff Albert Brunson's claims against the Alabama Department of Corrections and against Defendant Steven Howell in his official capacity; (2) grant summary judgment in favor of Lt. Howell on all claims brought against him in his individual capacity; (3) deny summary judgment to Defendant Delvin Green as to the claim of excessive force brought against him in his individual capacity; and (4) grant summary judgment in favor of Officer Green on all other claims brought against him. (Doc. 39). The magistrate judge advised the parties of their right to file specific written objections within fourteen days and of the consequences of a failure to object (*id.* at 27–28), but the court has not received any objections.

The parties' failure to file specific objections waives any challenge to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. The court therefore **ADOPTS** the magistrate judge's report and **ACCEPTS** the recommendations. Accordingly, the court **WILL DISMISS** Mr. Brunson's claims against the Alabama Department of Corrections and against Lt. Howell in his official capacity **WITHOUT PREJUDICE**. The court **WILL DENY** the motion for summary judgment with respect to Mr. Brunson's excessive force claim against Officer Green in his individual capacity. The court **WILL GRANT** the motion for summary judgment and **WILL ENTER SUMMARY JUDGMENT** in favor of Officer Green and Lt. Howell on all other claims brought against them in their individual capacities.

The court **WILL REFER** Mr. Brunson's excessive force claim against Officer Green to the magistrate judge for further proceedings.

The court will enter a separate order and partial judgment consistent with this opinion.

DONE and **ORDERED** this July 21, 2025.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE